

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. James Lydon on 9/11/09.

The application has been amended as follows:

**Claim 32:**

Please change "silicone composition, the improvement consists in:" as found on line 5 of claim 32 to --silicone composition, wherein the improvement consists in:--.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: Applicants have amended the instant claims such that the silicon composition is claimed using the closed-ended language "consists of". It is believed that these amendments overcome the previously relied upon prior art rejection of Lorenzetti et al. (US Pat. 5,658,674) in view of Fujiki et al. (US Pat. 6,376,520). Specifically, Applicants amendments now exclude any mineral filler such as silica. Optional component (h) as claimed only allows for dyes and stabilizers to be added to the composition. A mineral filler such as silica does not qualify as either a dye or as a stabilizer. A silica filler is taught by Lorenzetti et al. as an optional ingredient; however all of the working examples include silica in the curable compositions. Additionally, Fujiki et al. teaches silica

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filler as a required ingredient. Applicants argue that a person having ordinary skill in the art, motivated by the desire to lower the viscosity of the curable polysiloxane compositions taught by Lorenzetti et al., would have included the use of a silica filler since the role of the silica filler is important in the main objective of achieving a solventless liquid coating system as taught by Fujiki et al. The Examiner is persuaded by this argument. Specifically, a person having ordinary skill in the art would not exclude the required silica filler as taught by Fujiki et al. in order to arrive at a liquid curable silicone composition which satisfies the viscosity requirements of the instant claims (see Fujiki at 4:44-48). Further, the main objective of Fujiki et al. is to prepare a solventless coating system. Lorenzetti et al. does not teach or suggest adding any solvents to the coating compositions taught therein. In other words, the coating compositions taught by Lorenzetti et al. are already solvent free which would further remove the Fujiki et al. from serving as a readily combinable secondary reference for modifying the teachings of Lorenzetti et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT LOEWE whose telephone number is (571)270-3298. The examiner can normally be reached on Monday through Friday from 5:30 AM to 3:00 PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on (571) 272-1302. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. L./

Examiner, Art Unit 1796

14-Sep-09

/Randy Gulakowski/

Supervisory Patent Examiner, Art Unit 1796